(49)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Division Bench

Coram : **Hon'ble Shri Jagdish Bhalla, Acting C.J. &**
Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Writ Appeal (P.R.) No.2194 of 2007

Appellants
Petitioners

1. Milind Gupta, son of Dr. Vijay Singh Gupta, aged about 30 years
2. Skandh Gupta, son of Dr. Vijay Singh Gupta, aged about 28 years.
3. Dr. Vijay Singh Gupta, son of late Bahadur Singh, aged about 66 years

All are residents of Kutchehri Road, Apapura, Durg, District-Durg (CG)

versus

Respondents

1. Ajit Singh Gupta, son of late Bahadur Singh Gupta, aged about 71 years, resident of Kutchehri Road, Apapura, Durg, District-Durg (CG)
2. Ajay Singh Gupta, son of late Bahadur Singh Gupta, aged about 64 years, resident of Irani Dera Utai Road, Durg, District-Durg (CG)

Memo of Writ Appeal under Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006.

Present : Shri Sunil Sahu, counsel for the appellants/petitioners.

ORAL ORDER

(Passed on 5th of July, 2007)

The following oral order of the Court was passed by **Jagdish Bhalla, Acting Chief Justice** :

This appeal has arisen from the order dated 06.02.2007 passed by Hon'ble Single Judge in Writ Petition (C.) No.166 of 2007 filed under Article 227 of the Constitution of India.

Learned counsel for the appellants concedes that Section 2 of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 clearly provides that no appeal shall lie against an interlocutory order or against an order passed in exercise of supervisory jurisdiction under Article 227 of the Constitution of India.

In the light of above, no interference is warranted by this Court. The appeal is dismissed as not maintainable.

Sd/-
Acting Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Gopal